

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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FIROOZ GHASSABIAN,	:		
	:		
Petitioner,	:		
	:		
- against -	:		
	:		
FATOLLAH HEMATIAN, BEHDAD	:		
HEMATIAN, HERTSEL AKHAVAN,	:	ECF Case	
and CLASSICOM, L.L.C., a limited	:		
liability company organized under the	:	Civil Case No. 08-CIV-4400 (SAS)	
Laws of the State of Delaware,	:		
	:		
Respondents.	:		
	:		
IN THE MATTER OF THE	:		
ARBITRATION BETWEEN	:		
	:		
FATOLLAH HEMATIAN, BEHDAD	:		
HEMATIAN, HERTSEL AKHAVAN	:		
and CLASSICOM L.L.C.,	:		
	:		
Claimants,	:		
	:		
v.	:		
	:		
FIROOZ GHASSABIAN,	:		
	:		
Respondent.	:		
-----	X		

CLARIFYING DECLARATION IN SUPPORT OF MOTION TO DISMISS

FATOLLAH HEMATIAN, hereby declares under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I respectfully submit this Clarifying Declaration to clarify a statement set forth in my June 18, 2008 Declaration.

2. Paragraphs 12 of my Declaration should state: "Since both the Petitioner and myself are members of the Mashadi Jewish community, having originally emigrated from the same Mashadi community in Iran, it was agreed that the arbitrators of any disputes would be individuals who are respected members and leaders of the Mashadi Jewish community living in New York, *as is the custom and practice in our community.*" (Clarification in italics.)

3. The reason the Parties selected respected members and leaders of the Mashadi Jewish community, is because it is the custom and practice among members of the Mashadi Jewish community to settle disputes by arbitration or mediation before members and leaders of the Mashadi Jewish community and not to litigate disputes in the courts.

Dated: July 22, 2008
New York, New York

Respectfully submitted,



Fatollah Hematian